

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: ZILLES

In re Application of:)
ALEXANDER ZILLES, JUTTA ARDEN-JACOB,)
KARL-HEINZ DREXHAGE,)
NORBERT UWE KEMNITZER &)
MONIKA HAMERS-SCHNEIDER)
Appl. No.: 10/563,079) Examiner:
Filed: December 30, 2005) Group Art Unit: 1751
For: SULFONAMIDE DERIVATIVES OF) Confirm. No: 8113
POLYCYCLIC DYES USED FOR)
ANALYTICAL APPLICATIONS)

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

In accordance with 37 C.F.R. 1.56, applicant wishes to call the attention of the Examiner to the references listed on enclosed form PTO-1449 which were cited in the International Search Report issued by the European Patent Office with regard to the corresponding International Application PCT/EP/2004/007248, filed July 2, 2004, and which were cited in the specifications, respectively. Applicant does not admit that any of the cited documents constitutes prior art against the pending application.

Copies of these references are submitted herewith along with form PTO-1449. The Examiner is requested to initial the attached form PTO-1449 and to return a copy of the initialed document to the undersigned as an indication that the attached references have been considered and made of record.

- ☐ This Information Disclosure Statement is filed within three months of the filing date of a national application other than a continued prosecution application under 1.53(d), so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed within three months of the date of entry of the national stage as set forth in 1.491 in an international application, so that no fee under 37 C.F.R. §1.97 is due.
- ☒ This Information Disclosure Statement is filed before the mailing of a first Office Action on the merits, so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed before the mailing of a first Office Action after the filing of a request for continued examination under §1.114, so that no fee under 37 C.F.R. §1.97 is due.
- ☐ This Information Disclosure Statement is filed after the issuance of a first office but before issuance of a final action under §1.113, or a notice of allowance under §1.311.
- ☐ This Information Disclosure Statement is submitted after the mailing of a final action or a notice of allowance, but before payment of the issue fee.
- ☐ The undersigned submits the following statement requesting consideration of this statement:
The undersigned hereby states:
 - ☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement;
 - ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a

counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

☐ The fee of \$180.00 set forth in 1.17(p).

☐ The Commissioner is hereby authorized to charge the fee as set forth in 1.17(p), and any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 06-0502.

In order to satisfy the requirement under 37 C.F.R. §1.98(a)(3) for a concise explanation of the relevance of each item of information, applicant herewith submits a copy of the International Search Report together with a verified translation of the German language paragraphs thereof. In addition, applicant notes with respect to any information that is not in English language as follows:

International Application WO 00/64986 corresponds with US-Patent US-6,828,159 (Drexhage et al.);

International Application WO 00/64987 corresponds with US-Patent US-6,737,280 (Drexhage et al.). Both applications are cited in the specifications.

The above-identified application discloses and claims an invention patentable over this prior art.

Entry of the references above set forth into the file of the above application is believed to be in order and is respectfully requested.

Respectfully submitted

By: 

Ursula B. Day
Attorney for Applicant
Reg. No. 47,296

Date: June 7, 2006
350 Fifth Avenue
Suite 4714
New York, N.Y. 10118
(212) 244-5500
UBD:ub

INFORMATION DISCLOSURE CITATION

Attorney's Docket No. ZILLES	Applicant ALEXANDER ZILLES et al.	Appl. No. 10/563,079
Filing Date December 30, 2005	Group 1751	Examiner

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date, if appropriate

FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Subclass	Translation
	WO02/099077 A2	12/12/2002	PCT			yes
	HU 188 100	3/28/1985	HU			no
	2 044 258	10/15/1980	GB			yes
	2 054 582	2/18/1981	GB			yes
	WO 92/07833	5/14/1992	PCT			yes
	WO 88/08420	11/3/1988	PCT			yes
	WO 87/00048	1/15/1987	PCT			yes
	2 148 917 A	6/5/1985	GB			yes
	2 148 918 A	6/5/1985	GB			yes
	2 148 919 A	6/5/1985	GB			yes
	2 148 920	6/5/1985	GB			yes
	WO 99/15517	4/1/1999	PCT			yes
	EP 0 567 622 B1	11/17/1992	Europe			yes (claims)
	EP 0 747 447 B1	5/6/1995	Europe			Yes (claims)
	WO 00/64987	11/2/2000	PCT			
	WO 0064986	11/2/2000	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	XP-00236049 5	Alexa Dyes, a Series of New Fluorescent Dyes that Yield Exceptionally Bright, Photostable Conjugates by Nataliya Panchuk-Voloshina et al./ <i>Journal of Histochemistry & Cytochemistry</i> ; Vol.47(9):1179-1188. 1999
		Flourescent Probes in Cellular and Molecular Biology by Jan Slavik, PhD, CRC Press, Inc., Boca Raton/ 1994 (Institute of Physiology Czech Academy of Sciences)

Examiner:**Date considered:**

*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.